



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,405	08/28/2003	Ichiro Mori	8861-473US (P31391-01)	6539

570 7590 12/02/2004

AKIN GUMP STRAUSS HAUER & FELD L.L.P.  
ONE COMMERCE SQUARE  
2005 MARKET STREET, SUITE 2200  
PHILADELPHIA, PA 19103-7013

EXAMINER
----------

TIBBITS, PIA FLORENCE

ART UNIT	PAPER NUMBER
----------	--------------

2838

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/650,405	MORI, IICHIRO	
	Examiner	Art Unit	
	Pia F Tibbits	2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/28/2003</u> . | 6) <input type="checkbox"/> Other: ____   |

### **DETAILED ACTION**

This Office action is in answer to the application filed 8/28/2003, and the interview of 11/9/2004.

#### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the CPU, the battery storage section (part of the battery management server), the power supply section (part of the battery management server), a charge-state optimization planning section (part of the battery management server), etc. must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
4. The disclosure is objected to because of the following informalities: the claims have been referred to in the body of the specification (pages 7, 13, 16, etc.). This is not permitted since the scope of the claims may change during the processing of an application. Therefore, direct reference to claims in the body of a specification should be avoided. Appropriate correction is required.
5. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter: "pre-determined DC power". See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction is required.
6. Applicant is reminded to use consistent language throughout the disclosure in order to facilitate finding support for the recited limitations, as well as to provide proper antecedence for all claimed limitations.

***Claim Objections***

7. Claims 1-6 are objected to because of the following informalities:

Claim 1: "pre-determined DC power" lacks antecedence.

Claim 2: "A method for optimizing the charge state of a mobile information apparatus" is incorrect, unless the apparatus is a battery, a capacitor or an energy storage device, and "the charge state" lacks antecedence.

Claim 3: "A charge-state optimization program of causing the CPU" is a) idiomatic and b) needs to be rephrased according to dependency upon claim 1 that recites in the preamble "a mobile information apparatus".

Claim 4: "plan for an optimization" needs to be rephrased to address the charge state optimization.

Art Unit: 2838

Claim 5: "A method of optimizing a charge state of a battery-powered electrical apparatus by a battery management server" is incorrect since a) the apparatus is a battery, a capacitor or an energy storage device, and b) the server does not manage only battery functions.

Claim 6: "A charge-state optimization program of causing the CPU" is a) idiomatic and b) needs to be rephrased according to dependency upon claim 4 that recites in the preamble "a battery management server for providing a plan for an optimization of a battery charge state for a battery-powered electrical apparatus".

Appropriate correction is required.

***Allowable Subject Matter***

8. Claims 1-6 are allowed.

With respect to claims 1 and 3: none of the references of record prior to applicant's filing date discloses, teaches, or suggests a mobile information apparatus comprising, *inter alia*, a charge-state optimization planning section for determining a plan for the optimization of a charge state of a rechargeable battery according to a recorded schedule; and a power-supply control section for establishing charge and discharge conditions based on said plan for the optimization, and, on the charge and discharge conditions, controlling the charge and discharge of said rechargeable battery by said power supply section.

With respect to claim 2: none of the references of record prior to applicant's filing date discloses, teaches, or suggests a method of optimizing a charge state of a rechargeable battery of a mobile information apparatus comprising, *inter alia*, the steps of determining a plan for the optimization of the charge state of the rechargeable battery in a battery storage section according to a schedule; and establishing charge and discharge conditions of the rechargeable battery based on said plan for the optimization.

With respect to claims 4 and 6: none of the references of record prior to applicant's filing date discloses, teaches, or suggests a battery management server for providing a plan for an optimization of a

Art Unit: 2838

battery charge state for a battery-powered electrical apparatus comprising, *inter alia*, a power-supply control section for establishing charge and discharge conditions based on the plan for the optimization of the charge state of said rechargeable battery, where the server includes a schedule recording section.

With respect to claim 5: none of the references of record prior to applicant's filing date discloses, teaches, or suggests a method of optimizing a charge state of a rechargeable battery powering an electrical apparatus comprising, *inter alia*, the steps of determining a plan for the optimization of the charge state of the rechargeable battery in a battery storage section according to a schedule stored in a management server; and establishing charge and discharge conditions of the rechargeable battery based on said plan for the optimization.

9. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

### ***Conclusion***

10. This application is in condition for allowance except for the following formal matters indicated above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in PTO-892 and not mentioned above disclose related apparatus.

Art Unit: 2838

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Pia Tibbits whose telephone number is (571) 272-2086. If unavailable, contact the Supervisory Patent Examiner Mike Sherry whose telephone number is (571) 272-2084. The Technology Center Fax number is (703) 872-9306.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PFT

November 28, 2004

Pia Tibbits

Primary Patent Examiner

A handwritten signature in black ink, consisting of a large, stylized loop that encircles the text 'Primary Patent Examiner'.